

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF COMPETITIVE)	
CARRIERS OF THE SOUTH, INC. FOR)	
A DECLARATORY ORDER AFFIRMING)	CASE NO.
THAT THE INTERCONNECTION REGIMES)	2015-00283
UNDER KRS 278.530 AND 47 U.S.C. § 251)	
ARE TECHNOLOGY NEUTRAL)	

ORDER

On June 23, 2016, the Commission issued an Order establishing a procedural schedule in this case. On August 9, 2016, on motion of BellSouth Telecommunications, LLC d/b/a AT&T Kentucky (“AT&T Kentucky”), the Commission issued an Order modifying the procedural schedule. Competitive Carriers of the South, Inc. (“CompSouth”), on December 7, 2016, filed a motion to compel discovery responses from AT&T Kentucky and MCIMetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services (“Verizon”). AT&T Kentucky and Verizon filed individual motions to strike CompSouth’s motion to compel. On December 23, 2016, AT&T Kentucky, Verizon, and CompSouth (collectively the “Parties”) filed with the Commission a Joint Motion to Suspend Current Procedural Schedule and Withdrawal of Pending Motions Without Prejudice (“Joint Motion”).

In the Joint Motion, the Parties requested that the Commission suspend the current procedural schedule, including the formal hearing scheduled for January 31, 2017. As grounds for their motion the Parties stated that CompSouth would withdraw its motions to compel; AT&T Kentucky and Verizon would withdraw their motions to

strike, without prejudice; and CompSouth would confer separately with AT&T Kentucky and Verizon regarding CompSouth's discovery issues with the intention of resolving or reducing the discovery disputes. CompSouth stated that if discovery issues remain, it would file a motion to compel and, once the Commission ruled upon such motion, would seek to reach agreement with the other Parties to submit a revised procedural schedule. The Parties also stated that if they reached an agreement on the discovery issues, they would submit a revised procedural schedule for the Commission's approval. It appears from the record that CompSouth has reached an agreement with both AT&T Kentucky and Verizon, and that the Parties have resolved the discovery issues. The Parties, however, have not filed a proposed procedural schedule.

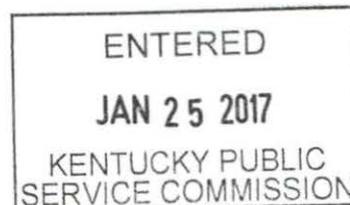
CompSouth's filing of the motion to compel caused the Parties to miss two procedural steps—the filing of rebuttal testimony and the filing of initial briefs. These filings are necessary to have in the record prior to the public hearing currently scheduled for January 31, 2017. Therefore, we find that the Joint Motion should be granted, the current procedural schedule suspended, and the parties should follow the revised procedural schedule attached as an Appendix to this Order.

IT IS HEREBY ORDERED that:

1. The Joint Motion is granted;
2. CompSouth's motion to compel and AT&T Kentucky's and Verizon's respective motions to strike may be withdrawn without prejudice;
3. The procedural schedule established in the August 9, 2016 Order is suspended;

4. The public hearing scheduled on January 31, 2017, is continued generally.
5. The procedural schedule set forth in the Appendix to this Order shall be followed.
6.
 - a. Any party filing testimony shall comply with the electronic filing procedures set forth in 807 KAR 5:001, Section 8, and shall file with the Commission an original and six copies in paper medium and an electronic copy.
 - b. Any party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.
7. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.
8. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission



ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2015-00283 DATED **JAN 25 2017**

Rebuttal testimony, if any,
in verified prepared form shall be filed
no later than 2/17/2017

Initial round of briefs, filed simultaneously 3/10/2017

Public Hearing To be scheduled

*L Allyson Honaker
Goss Samford, PLLC
2365 Harrodsburg Road, Suite B325
Lexington, KENTUCKY 40504

*J. Tyson Covey
Mayer Brown LLP
71 South Wacker Drive
Chicago, ILLINOIS 60606

*Tony Taylor
BellSouth Telecommunications, LLC dba AT&T
601 W Chestnut Street
4th Floor East
Louisville, KY 40203

*Carolyn Ridley
Senior Director of State Public Policy
Level 3 Communications
2078 Quail Run Drive
Bowling Green, KENTUCKY 42104

*XO Communications Services, LLC
13865 Sunrise Valley Drive
Herndon, VA 20171

*Windstream Communications, LLC
4001 N Rodney Parham Road
Little Rock, AR 72212

*Cheryl Winn
Waters Law Group, PLLC
12802 Townepark Way, Suite 200
Louisville, KENTUCKY 40243

*Luke Morgan
McBrayer, McGinnis, Leslie and Kirkland, PLLC
201 East Main Street
Suite 1000
Lexington, KENTUCKY 40507

*David S Samford
Goss Samford, PLLC
2365 Harrodsburg Road, Suite B325
Lexington, KENTUCKY 40504

*Level 3 Communications, LLC
1025 Eldorado Blvd
Broomfield, CO 80021

*Dennis G Friedman
Mayer Brown LLP
71 South Wacker Drive
Chicago, ILLINOIS 60606

*EarthLink Business, LLC
2851 Charlevoix Drive SE, Suite 209
Grand Rapids, MI 49546

*Douglas E Hart
441 Vine Street, Suite 4192
Cincinnati, OHIO 45202

*Ted Heckman
Managing Director, Regulatory & Government
Cincinnati Bell Telephone Company
221 E Fourth Street, Room 103-1170
Cincinnati, OH 45202

*Birch Communications, Inc.
3060 Peachtree Road, Suite 1065
Atlanta, GA 30305

*Thomas M Payne, III
BellSouth Telecommunications, LLC dba AT&T
601 W Chestnut Street
4th Floor East
Louisville, KY 40203